

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:20-CV-00280-FDW-DSC

JAMALLA BROWN,  
Plaintiff,

vs.

LAKEVIEW LOAN SERVICING, LLC *et*  
*al.*,  
Defendants.

ORDER

THIS MATTER is before the Court *sua sponte* as to the status of this case. Plaintiff filed a Notice of Settlement on October 21, 2021 (Doc. No. 97), wherein Plaintiff asserts “the parties have settled Plaintiff’s claims against Defendants”. (Doc. No. 97, p. 1). This matter, however, is docketed for trial beginning November 1, 2021, and nothing in the motion sought a stay or continuance of any other deadlines, including trial. Although it appears the parties will finalize the settlement process “on or before October 29, 2021” (Doc. No. 97, p. 1), the Court finds no sufficient basis under the current record to *sua sponte* stay deadlines or continue trial.


Accordingly, counsel is hereby advised they are expected to appear for: (1) docket call at 9:00 a.m. on November 1, 2021; (2) a pretrial conference immediately following docket call; and (3) jury selection on November 2, 2021. The parties’ jointly prepared pretrial submissions required under the Amended Case Management Order in this matter (Doc. No. 44) shall be due October 29, 2021, which is as late as practicably possible given the trial setting in this matter. Of course, the parties can file their Stipulation of Dismissal any time, including prior to docket call, at which time

the Court will remove this case from the trial calendar and terminate the deadlines set forth herein.<sup>1</sup>

IT IS THEREFORE ORDERED that the parties' jointly prepared pretrial submissions shall be due October 29, 2021.

IT IS SO ORDERED.

Signed: October 22, 2021

  
Frank D. Whitney  
United States District Judge

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<sup>1</sup> The Court notes, however, that the Amended Case Management Order in this case provides:

Whenever a civil action scheduled for a jury trial is settled or otherwise disposed of in advance of the actual trial, the Court may assess all jurors' costs (including Marshal's fees, mileage reimbursement, and per diem fees) equally against the parties or otherwise may determine appropriate assessments, unless the Clerk's office is notified at least one (1) full business day prior to the date on which the action is scheduled for trial or the parties establish good cause why the Court should not assess jury costs against them.

(Doc. No. 44, pp. 13-14). The stipulation of dismissal, if filed on October 29, 2021, must therefore be filed no later than 11:00 a.m. that day to give the Clerk of Court sufficient time during the business day to advise the jurors who are selected that they need not appear for trial on November 1, 2021.